

Appln No. 10/722,002
Haller et al.
Office Action dated December 29, 2005

REMARKS/ARGUMENTS

The Examiner is thanked for the Official Action dated December 29, 2005. This amendment is intended to be fully responsive thereto.

Election/Restrictions

Applicant notes Examiner requirement to withdraw claims 3-4 and 8-9 and 20 from immediate prosecution. However, Applicant respectfully contend Examiner's assertion that "there being to allowable genre or linking claim" be re-examined as a normal course of prosecution, as a generic claim may be allowed in spite of the current restriction.

Claim Amendments, Cancellations and Additions

Claim 5 has been amended to be placed in independent form including the limitations of its base and intervening claims.

Claim 1 has been amended to include the limitation of a heating radiator, cavities containing heat storage fluid, at least one conduit which communicates with the cavities and the melting point of the heat storage fluid in the cavities.

Claims 12-13, 15-17, 21 and 25 have been cancelled. Claim 27 is new. Therefore, claims 1, 2, 5, 6, 7, 10, 11, 14, 18, 19, 22, 23, 24, 26, and 27 are pending in the instant case.

Claims 18 and 19 have been amended to include the heating fluid in the ducts and the action on the heat-exchange surfaces.

Claims 22-24 have amended dependencies and placed a limitation on the type of heating fluid.

New claim 27 depends on claim 5, with similar limitations as claims 18 and 19.

Specification

Examiner has objected to the specification abstract due to the fact that the words "the invention relates to" was included therein. The specification has been amended to delete the previous abstract and replace it with a new one to overcome any objection.

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35 USC 112 Rejections

Examiner had previously rejected claims 15-17 and 21 as indefinite. Claims 15-17 and 21 have been cancelled, thereby rendering this rejection moot.

The 102 and 103 Rejections

Currently amended independent claim 1, on a heat transfer fluid containing heat exchanger which is a heating radiator, on which all claims 2, 6, 7, 10, 11, 18, 19, 22, 23, 24 and 26 ultimately depend, is now clearly defined over Bureau et al. The pending claims, with their present limitations, are both new and unobvious over Bureau et al, alone or in combination with any of the prior art cited, and are now therefore in condition for allowance.

Allowable Subject Matter


Claim 5 was considered by the Examiner as allowable subject matter and has been amended to be in correct independent form. Dependent claims 14 and 27 are, therefore, also in condition for allowance.

Applicant respectfully submits that all currently pending claims are now allowable.

Summary

It is respectfully submitted that claims 1-2, 5-7, 10-11, 14, 18-19, 22-24, and 26-27 in their current form, are in condition for allowance. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution, please be invited to contact the undersigned at the number listed below.

Respectfully submitted,

By: 
Ronald COURTNEY
Reg. No. 34, 805
Valeo, Inc.

Intellectual Property Department
4100 North Atlantic Boulevard
Auburn Hills, Michigan 48326
Tel: (248) 209 84 35 Fax: (248) 209 82 05